

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:19-cv-00064-MR  
CRIMINAL CASE NO. 1:07-cr-00033-MR-WCM-3**

## JEANNIE LARGENT COSBY,

**Petitioner,**

**VS.**

## JODY UPTON,

**Respondent.**

## ORDER

**THIS MATTER** is before the Court on Petitioner's Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. 3].

Petitioner has filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 that requires a \$5.00 filing fee. [Doc. 1]. In support of the Application to proceed *in forma pauperis*, Petitioner has filed documents showing a prison account balance of \$113.55. [Doc. 3-1 at 2; Doc. 3-2]. She states that she receives \$20.00 per month. [Doc. 3 at 5].

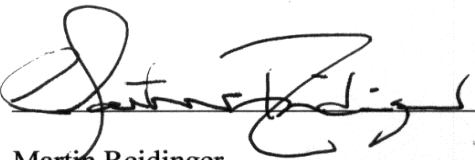
It appears that Petitioner has adequate resources to pay the \$5.00 filing fee. Therefore, Petitioner's Application will be denied, and Petitioner shall be required to pay the \$5.00 filing fee within thirty (30) days of this Order. Failure to comply with this Order will likely result in this action's

dismissal without prejudice. See generally Fed. R. Civ. P. 41(b); 28 U.S.C. § 1915.

**IT IS, THEREFORE, ORDERED that** Petitioner's Application to Proceed in District Court Without Prepaying Fees or Costs is **DENIED WITHOUT PREJUDICE** [Doc. 3]. Petitioner shall pay the required \$5.00 filing fee within thirty (30) days of the entry of this Order. Failure to comply with this Order will likely result in this action's dismissal without prejudice.

**IT IS SO ORDERED.**

Signed: May 3, 2019

  
Martin Reidinger  
United States District Judge

